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Environmental
Protection

California Regional Water Quality Control Board

Los Angeles Region

(50 Years Serving Coastal Los Angeles and Ventura Counties)

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Gray Davis
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Alex Herrell
Stevenson Ranch Venture, LLC
25129 The Old Ranch Road, Suite 316
Stevenson Ranch, CA 91381

Michael Otavka
William S. Hart Union High School District
21515 Redview Drive
Santa Clarita, CA 91350

CONDITIONAL CERTIFICATION FOR PROPOSED RANCHO PICO JUNIOR HIGH SCHOOL AND WEST RANCH HIGH SCHOOL PROJECT (Corps' Project No. 2001-00490-AOA), UNNAMED TRIBUTARY TO THE SANTA CLARA RIVER, CITY OF STEVENSON RANCH, LOS ANGELES COUNTY (File No. 01-003)

Dear Messrs. Herrell and Otavka:

Regional Board staff has reviewed your request on behalf of Stevenson Ranch Venture, LLC and William S. Hart Union High School District (Co-applicants) for a Clean Water Act Section 401 Water Quality Certification for the above referenced project. Your application was deemed complete on January 25, 2001.

I hereby certify that there is a reasonable assurance that the discharge from the Rancho Pico Junior High School and West Ranch High School, as proposed and described in Attachment A, if performed in accordance with all applicable water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region* (1994), and in accordance with the conditions specified in Attachment B, will comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act.

The Co-applicants shall be liable civilly for any violations of this certification in accordance with the California Water Code. This Certification does not eliminate the Co-applicants' responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this certification action, please contact Jason Lambert, Section 401 Program, at (213) 576-5733.

[Original Signed By]
Dennis A. Dickerson
Executive Officer

[February 13, 2002]
Date

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



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1. Co-applicants: Alex Herrell

ATTACHMENT A

Project Information File No. 01-003

Stevenson Ranch Venture, LLC
William S. Hart Union School District
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Stevenson Ranch, CA 91381
Phone: (661) 799-1185

Michael Otavka
William S. Hart Union High School District
21515 Redview Drive
Santa Clarita, CA 91350
Phone: (661) 259-0033 Fax: (661) 259-4762

2. Co-applicants' Agent: Trevor Smith
RBF Consulting
14725 Alton Parkway
Irvine, CA 92618
Phone: (949) 855-5718 Fax: (949) 837-4122
3. Project Name: Rancho Pico Junior High School and West Ranch High School
4. Project Location: Stevenson Ranch, Los Angeles County
5. Type of Project: School development
6. Project Description: The project involves the construction of two new school sites, the Rancho Junior High School and the West Ranch High School on a 72.3-acre site. The project includes the grading of a 49.9-acre site, which will include the filling of a 0.68-acre ephemeral stream.
7. Federal Agency/Permit: U.S. Army Corps of Engineers
Individual Permit (Permit No. 2001-0490-AOA)
8. Other Required: California Department of Fish and Game

ATTACHMENT A

Project Information File No. 01-003

- Regulatory Approvals: Streambed Alteration Agreement
9. California Environmental Quality Act (CEQA) Compliance: The Board of Trustees of the William S. Hart Union High School District approved the project's Mitigated Negative Declaration on January 31, 2001.
10. Receiving Water: Unnamed Ephemeral drainage tributary to Santa Clara River (Hydrologic Unit No. 403.51)
11. Designated Beneficial Uses: MUN, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, WILD, RARE, WET
12. Impacted Waters of the United States: Non-wetland waters (unvegetated streambed): 0.68 permanent acres
13. Dredge Volume: None
14. Related Projects Implemented/to be Implemented by the Co-applicants: The Co-applicants has identified the following related projects carried out in the last 5 years or planned for implementation in the next 5 years.
- Stevenson Ranch Phases I Through IV: Phases I through IV of Stevenson Ranch are currently being developed.
- Stevenson Ranch Phase V: Planning for Phase V of Stevenson Ranch is underway. The development of Stevenson Ranch Phase V is anticipated to result in construction of 3,457 residential units. Preliminary estimates indicated that this development would impact a minimum of 2.2 acres of jurisdictional waters.
15. Avoidance/ The Co-applicants have proposed to implement several Best

ATTACHMENT A

Project Information File No. 01-003

Minimization Activities:

Management Practices, including, but not limited to, the following:

- Utilization of sandbags and silt fences to prevent erosion;
- Limiting the time soil lies exposed, in order to minimize it's erosion capabilities; and
- Continuous Deflective System (CDS) units or an equivalent device will be used to provide water quality protection by treating storm water runoff, and flow will be captured into such devices through the installation of inlets at specified locations as defined in the submitted Post Construction BMP exhibit, dated January 16, 2002.

16. Proposed Compensatory Mitigation:

The Co-applicants have proposed to create 1.09 acres of jurisdictional wetland and to enhance 0.27 acres of vegetated streambed, a 2:1 ratio. The 0.27 acres of vegetated streambed to be enhanced is to be located within a 28-acre area, which the Co-applicants have proposed to preserve as open space.

See Attachment B Conditions of Certifications, Additional Conditions for modifications and additions to the above proposed compensatory mitigation.

ATTACHMENT B

Conditions of Certification File No. 01-003

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR Section 3867).
2. This certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Co-applicants.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR Section 3859(a), the Co-applicants shall comply with the following additional conditions:

1. The Co-applicants shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' Section 404 Permit and the California Department of Fish and Game's Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the United States.**
2. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the United States. At no time shall the Co-applicants use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the United States.
3. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the United States.

ATTACHMENT B

Conditions of Certification File No. 01-003

4. The Co-applicants shall not conduct any construction activities within waters of the United States during a rainfall event. The Co-applicants shall maintain a five-day (5-day) clear weather forecast before conducting any operations within waters of the United States.
5. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Co-applicants shall file a **Report of Waste Discharge** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Co-applicants shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
6. All surface water inflows shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Co-applicants shall develop and submit a **Surface Water Diversion Plan** to this Regional Board. The plan shall include the proposed method and duration of diversion activities, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for pH, temperature, dissolved oxygen, turbidity, and total suspended solids shall be implemented. These constituents shall be monitored on a **daily** basis during the first week of diversion activities, and then on a **weekly** basis, thereafter, until the in-stream work is complete. Results of the analyses shall be submitted to this Regional Board by the **15th** day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.
7. The Co-applicants shall restore all areas of temporary disturbance that could result in a discharge or a threatened discharge to waters of the United States. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. The Co-applicants shall implement appropriate Best Management Practices to control erosion and runoff from areas associated with this project.

ATTACHMENT B

Conditions of Certification File No. 01-003

8. The Co-applicants shall provide COMPENSATORY MITIGATION for the proposed permanent impacts to **0.68 acres** of unvegetated streambed within waters of the United States by creating 1.09 acres of jurisdictional wetland and restoring 0.27 acres of vegetated streambed, a 2:1 area replacement ratio. These areas shall be primarily located within a 28-acre lot that the Co-applicants shall preserve as open space as proposed in the Jurisdictional/Mitigation Map submitted July 30, 2001. The open space area shall be placed in a conservation easement, which prohibits any future development. The location of the mitigation site shall be clearly identified on a map of suitable quality and shall be defined by latitude and longitude. This information shall be submitted to this Regional Board prior to any disturbance within waters of the United States.
9. The Co-applicants shall submit to this Regional Board **Annual Monitoring Reports** for a period of five years documenting the success of all restoration and mitigation efforts, including, percent survival by plant species and percent cover. The reports shall include discussion of any monitoring activities and exotic plant control efforts. Representative photographs from designated stations shall be included in the reports.
10. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **01-003**. Submittals shall be sent to the attention of the Nonpoint Source Unit.
11. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
12. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS614001 and Waste Discharge Requirements Order No. 96-054. This includes the Standard Urban Stormwater Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment.
13. *Enforcement:*
 - (a) In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.

ATTACHMENT B

Conditions of Certification File No. 01-003

- (b) In response to a suspected violation of any condition of this certification, the State Water Resources Control Board (SWRCB) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- (c) In response to any violation of the conditions of this certification, the SWRCB may add to or modify the conditions of this certification as appropriate to ensure compliance.